

Amending Capital Project No. 264 - Sawkill School Bridge (BIN 3347630) - Construction Phase – Authorizing the Chairman of the County Legislature to Execute Agreements, Certifications or Reimbursement Requests for Federal Aid on Behalf of Ulster County with the New York State Department of Transportation – Amending the 2016 Capital Fund Budget - Public Works (Highways And Bridges)

Referred to: The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Greene, Litts, Loughran, and Maloney), and The Ways and Means Committee (Chairman Gerentine and Legislators Allen, Bartels, Belfiglio, Briggs, Maio, and Maloney)

Chairman of the Public Works and Capital Projects Committee, Dean J. Fabiano, and Deputy Chairman Peter M. Loughran offer the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of Public Works (Highways and Bridges); and

WHEREAS, a Project for the Replacement of Sawkill Road (CR 31) over Sawkill Creek in the Town of Ulster: the Sawkill School Bridge (BIN 3347630), PIN 8756.20 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ration of 80% federal funds 20% non-federal funds; and

WHEREAS, the Project is eligible for New York State Marchiselli Aid, and if this aid becomes available, then Ulster County’s financial obligation to the Project will be diminished from its present 20% to a share reduced by the amount of aid received; and

WHEREAS, Capital Project No. 264 was established pursuant to Resolution 142, dated April 11, 2002; and

WHEREAS, the Ulster County Legislature approved and agreed to advance the Project by committing 100% of the federal and non-federal shares of the costs of preliminary engineering and right-of-way incidental work, in the first instance pursuant to Resolution No. 146 dated April 11, 2002; and

WHEREAS, Ulster County desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of construction, construction inspection and construction supervision; and

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WHEREAS, the Commissioner of Public Works requests funds from serial bonds for the Sawkill Road (CR 31) over Sawkill Creek in the Town of Ulster: the Sawkill School Bridge Project, PIN 8756.20 (the “Project”) construction and construction inspection, in the amount of \$4,408,000.00; now

THEREFORE, the Ulster County Legislature, duly convened does hereby

RESOLVE, that the Ulster County Legislature hereby approves the further progress of the above-subject project; and it is hereby further

RESOLVED, that the Ulster County Legislature hereby authorizes Ulster County to pay in the first instance 100% of the federal and non-federal share of the cost of construction, and construction inspection for the Project, or portions thereof, and it is further

RESOLVED, that the sum of \$4,408,000.00 is appropriated from serial bond funding and made available to cover the cost of participation in the above phase of the Project, and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Ulster County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the County Executive thereof, and it is further

RESOLVED, that the Chairman of the Ulster County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of Ulster County with the New York State Department of Transportation (NYSDOT) in connection with the advancement or approval of the Project and the municipality’s first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible project costs, and all project costs within appropriations therefore that are not so eligible, and it is further

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RESOLVED, that in addition to the Chairman of the Ulster County Legislature, the following municipal titles: Commissioner of Public Works and Director of Purchasing, are also hereby authorized to execute and necessary Agreements or certifications on behalf of the Municipality with NYSDOT in connection with the advancement or approval of the Project identified in the State/Local Agreement, and it is further

RESOLVED, that a certified copy of this Resolution will be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, the 2016 Ulster County Capital Fund Budget is hereby amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
HH.5197.0264-4300.4355	Professional Services Engineering	\$ 583,000.00
HH.5197.0264-2300-2550 (App. #)	Construction Capital Project No.264	\$3,825,000.00
HH.5197.0264-3400-4597	Federal Aid, Capital Highway Projects	\$3,526,400.00
HH.5197.0264-3500-5710 (Rev. #s)	Serial Bond Proceeds	\$ 881,600.00

and it is further

RESOLVED, that this Resolution shall take effect immediately,
and moves its adoption.

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ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

Passed Committee: Public Works and Capital Projects on January 21, 2016

Passed Committee: Ways and Means on January 26, 2016

FINANCIAL IMPACT:

\$4,408,000.00 – CAPITAL PROJECT NO. 264 APPROPRIATIONS

\$3,526,400.00 – 80% REIMBURSABLE FROM FEDERAL FUNDS

\$ 881,600.00 – 20% SERIAL BOND PROCEEDS

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 26th Day of January in the year Two Thousand and Sixteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 29th Day of January in the year Two Thousand and Sixteen.

/s/ Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
29th Day of January, 2016.

Approved by the County Executive this
5th Day of February, 2016.

/s/ Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

/s/ Michael P. Hein
Michael P. Hein, County Executive